

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

RODNEY BARRON,

Plaintiff,

vs.

BOATRIGHT RAILROAD COMPANIES, INC.,  
formerly doing business as Boatright Enterprises, Inc.,

Defendant.

Civil Action No. \_\_\_\_\_

**COMPLAINT**

**I. JURISDICTION**

1. This is a suit for relief from race discrimination pursuant to 42 U.S.C. §1981, as amended. The jurisdiction of this Court is based on 28 U.S.C. §1331.

**II. PARTIES**

2. Plaintiff Rodney Barron ("Plaintiff") is a citizen of the United States over the age of nineteen and a resident of Marion, Alabama.

3. Defendant Boatright Railroad Companies, Inc. ("Defendant"), formerly doing business as Boatright Enterprises, Inc., is a corporation with a principal place of business in Birmingham, Alabama area during all times relevant to this action.

**III. BACKGROUND**

4. Paragraphs 1-3 above are incorporated by reference.

5 Plaintiff is African-American.

6. Plaintiff became employed by Seaman Timber Company, Inc. in November of 2006 to work at its timber yard in Montevallo, Alabama as a front end loader.

7. In or about March of 2008, Defendant bought Seaman Timber Company, Inc. and became Plaintiff's employer at that time.

8. Defendant subsequently changed the name of Seaman Timber Company, Inc. to Defendant's name. Seaman Timber Company, Inc. is therefore Defendant.

9. On or about August 11, 2008, Glenn Stewart, Defendant's general manager of the yard, terminated Plaintiff.

10. Stewart stated that Shane Boatright, Defendant's owner, had called him that previous Saturday and told him to fire Plaintiff because Plaintiff's loader was dirty that previous Friday.

11. It was false and pretextual that Plaintiff's loader was dirty that previous Friday.

12. Plaintiff cleaned his loader every Friday before he left work, inside and out.

13. Plaintiff had cleaned his loader well before he left that Friday.

14. Stewart and Boatright are Caucasian.

15. After Defendant purchased the timber yard, it terminated five other African-American employees beside Plaintiff- Ralph James, Albert Clark, Arnold Witherspoon, Larry Charles, and Albert Shelton.

16. All these terminated employees were replaced with Caucasian employees.

17. Also after Defendant bought the timber yard, it hired only Caucasian employees.

IV. CAUSES OF ACTION

COUNT I

42 U.S.C. §1981

18. Paragraphs 1-17 above are incorporated by reference.

19. Defendant violated Plaintiff's rights under §1981 by terminating him because of his race.

20. As a result of the above described discriminatory act, Plaintiff has been made to suffer lost wages and benefits, as well as emotional distress and mental anguish.

**WHEREFORE, these premises considered,** Plaintiff requests the following:

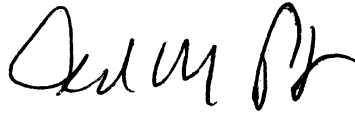
(i) That the Court enter an Order declaring that Defendant's acts as described herein violated 42 U.S.C. §1981;

(ii) That the Court grant Plaintiff a permanent injunction enjoining Defendant, and its agents, employees, successors, and those acting in concert with Defendant from further violating §1981;

(iii) That the Court enter an Order requiring Defendant to make Plaintiff whole by re-hiring him and placing him in the position he would have occupied in the absence of discrimination (or front-pay), providing back-pay with interest, and ordering Defendant to pay compensatory and punitive damages as a jury may assess;

(iv) That the Court award such other legal and equitable relief as justice requires, including, but not limited to, an award of costs, attorney's fees, expert witness fees, and expenses.

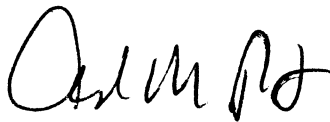
Respectfully submitted,



---

Adam M. Porter  
Attorney for Plaintiff  
Alabama Bar ID: ASB-2472-P75A  
2301 Morris Avenue, Suite 102  
Birmingham, Alabama 35203  
Phone: (205) 322-8999  
Facsimile: (205) 322-8915  
Email: adamporter@earthlink.net

Plaintiff requests trial by struck jury.



---

Attorney for Plaintiff

Defendant's Address:

Boatright Railroad Companies, Inc.  
c/o Shane Boatright, Registered Agent  
2109 Devereux Cir.  
Birmingham, AL 35243